

HOUSE BILL 328
By Newton

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 4, Part 9, relative to postsecondary
financial assistance from lottery proceeds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-4-902(24), is amended by deleting the word "but" from the second sentence and by substituting instead the word "and" and by deleting the word "not" from the second sentence.

SECTION 2. Tennessee Code Annotated, Section 49-4-902, is amended by adding the following language as new item (25) and by renumbering subsequent items appropriately:

(25) "Semester hour attempted" means every semester hour attempted by a student, except that if a student takes a course and then repeats the same course, only the last attempt at the course shall be counted in computing semester hours attempted and in computing the student's cumulative grade point average.

SECTION 3. Tennessee Code Annotated, Section 49-4-909, is amended by adding the following language as new subsection (c):

(c) Notwithstanding any other provision of law to the contrary, a student, who failed to receive a Tennessee HOPE scholarship for academic year 2004-2005 and who was eligible for a Tennessee HOPE scholarship under this section except that as of fall semester 2004 the student failed to meet the requirements of subdivision (a)(5) as such requirements then existed, may petition TSAC to grant the scholarship retroactively for academic year 2004-2005, if the student's cumulative grade point average is at least 2.75 at the end of a semester in which the student has attempted twenty-four (24) semester hours or at least 3.0 at the end of a semester in which the student has

attempted forty-eight (48) semester hours. For the purposes of determining retroactive eligibility under this subsection, the student's semester hours attempted and cumulative grade point shall be computed under § 49-4-902(25). TSAC shall grant the scholarship upon a showing by the student that the grade point average as determined under § 49-4-902(25) has been met and that the student is otherwise eligible for the scholarship.

Students receiving the scholarship under this subsection shall meet the requirements of § 49-4-911 at all subsequent times at which eligibility is checked for continuation of the scholarship.

SECTION 4. Tennessee Code Annotated, Section 49-4-911, is amended by deleting subsection (c) in its entirety and by substituting instead the following subsections (c) and (d):

(c) A student who ceases to be academically eligible for a Tennessee HOPE scholarship may have the scholarship reinstated if, at the end of the next semester of attendance following the loss of the scholarship, the student's cumulative grade point average for the number of semester hours attempted meets the requirements of subsections (a) or (b). The scholarship award shall be paid retroactively for the semester attended without the scholarship. No scholarship award, however, shall be paid for any attempt at a course other than the first attempt. TSAC is authorized to promulgate rules and regulations to effectuate the purposes of this subsection. All such rules and regulations shall be promulgated in accordance with the provisions of title 4, chapter 5.

(d) If a student ceases to be eligible for a Tennessee HOPE scholarship at any time for any nonacademic reason, then the student shall not be able to regain the Tennessee HOPE scholarship.

SECTION 5. Any recipient of a Tennessee HOPE scholarship in academic year 2004-2005 who failed to meet the academic continuation requirements under the provisions of prior

law and thus lost the scholarship may petition TSAC for reinstatement and retroactive payment of such scholarship, if applicable, if such student meets the academic continuation requirements of the provisions of this act.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.